England's Wants;

OR, SEVERAL

PROPOSALS

Very Advantageous for

ENGLAND.

Humbly offered to the Consideration of the Two HOUSES of PARLIAMENT, now Assembled at *Westminster*, under our most Gracious Lord and Lady, King *WILLIAM* and Queen *MARY*.

By Dr. *CHAMBERLAINE*,
Author of the *Present State of* England.

Printed for *R. Baldwin* in the *Old-Baily*. 1689.

284

Englands Wants:

OR,

Several Propoſals probably beneficial for England, *humbly offered to the Conſideration of all good Patriots in both Houſes of Parliament.*

ALTHOUGH the Kingdom of *England* doth abound with many bleſſings which other Nations want, yet doth it want many which others enjoy.

It is recorded, That an eminent foreign Ambaſſador, after a long Reſidence in *England*, ſailing homeward, did caſt his Eye back upon this Land, and ſaid in his own language, *O Iſola feliciſſima*, &c. *The happieſt Country upon the face of the Earth; did it not want publick Spirits amongſt them.*

The want of *Publick Spirits* hath occaſioned the want of many *Publick works* of *Piety* and *Charity*, works *neceſſary*, or *commodious* and *convenient* for the *People*, or of *Ornament* for the *Kingdom*.

I. To ſupply this want, That (by ſuch eaſie ways and means as are hereafter mentioned) there may be raiſed a *publick Stock* to be put into the hands of Commiſſioners nominated by both Houſes of Parliament, approved by the King, and accountable to them for the ſame.

II. For raiſing ſuch *publick Stock*, it is propoſed firſt, That according to the practice of neighbour Nations, upon all ſuch Commodities as occaſion either *Exceſs* or *Luxury*, *Wan-*

tonneſs, *Idleneſs*, *Pride*, or *corruption of Manners*, there may be laid a *large and extraordinary Impoſt*: as upon all *Wines*, all *ſtrong Drinks*, *Tobacco*, *Coffee*, *Chocolatte*, *Sugars*, *Spices*, *Plums*, all ſorts of *Sweat-meats*, *Oranges*, &c. Upon all *Silks*, *Laces*, *Ribbons*, *Jewels*, *Watches*, *Plate*, *Feathers*, *Perruques*, *Fringes*, &c. Upon all *fine Linnens*, *Camolets*, upon *Cards*, *Dice*, *Tables*, *Bowls*, &c. upon all *Coaches*, *Chariots*, *Litters*, *Sedans*: upon all *Pictures*, *Perfumes*, *Paints for the Face*, *Looking-Glaſſes*, &c. Moreover *a third part of all the gettings of Comedians*, *Rope-dancers*, *Mountebanks*, *Lotteries*, *Shews*, &c.

III. That (according to the practice of the Primitive Chriſtians, whoſe Devotion was ſuch, that they thought no Teſtament well made, unleſs ſome conſiderable portion was thereby added to Chriſts Patrimony) no Teſtament henceforth ſhould be valid, unleſs a 20th part of the Legacies were given to theſe after-named publick and pious uſes.

IV. That for theſe uſes there may be reſerved (as was anciently practiſed in the Roman State) a tenth part of the profit of all Lands given by the Husband to the Wife, or coming from the Wife to the Husband, there being no Iſſue between them alive.

V. That a 40th part of all things recovered by Law may be (as once among the Romans) aſſigned for publick uſes.

VI. That there be paid out of all Marriage Portions Six Pence in the Pound, and ſomething proportionably paid at the death and birth of every perſon not living on Almes.

VII. That every one to be made free of a Trade, or licenſed to practice in Law or Phyſick may pay proportionably to theſe publick uſes.

VIII. That all Contracts in Writing, all Decrees, Judgments, *&c.* may have a ſmall Seal on the top, (as is practiſed in divers other Countries) for which a ſmall Tax to be paid, *&c.*

IX. That in all Churches (as in *Holland*) at every ſolemn Aſſembly, the Church-wardens with a long Staff, Bag and Bell, *during the Sermon*, receive the charitable benevolence

lence of the whole Congregation, where every perſon that deſires to honour God (not only with his Soul and Body, but) with his *Subſtance* (as God commands, and the Primitive Chriſtians punctually obſerved at almoſt all their Church-meetings) throwing in but his Mite, it is incredible (by this conſtant courſe at every Aſſembly) to what a ſumm it will amount in one year.

That in all great Market Towns of *England* (as is of a long time uſed in *Holland*, and of late in divers Towns within ten Miles of *London*) there may be erected publick *Brewhouſes* ready to ſerve all within two Miles of the place, paying the ordinary Exciſe to this publick ſtock, which uſage is found by experience a great eaſe and benefit to all that have tried the ſame. Howbeit, if any private perſon within that compaſs will continue to Brew his own Beer, that then he be conſtrained to pay Exciſe of all the Beer he ſhall Brew for his own private uſe.

Now the Moneys of this publick Stock may be employed in theſe publick uſes following;

X. For building *Work-houſes* in all convenient parts of this Kingdom, for making *Rivers navigable*, for *building* or *repairing Bridges*, *High-ways*, *Sea-banks*, *Havens*, *Moles*, *Land-marks*, *Aquæducts*; for *ſetting up poor Youths* after an Apprentiſhip ſerved; for *marrying poor Maids*; for *relief of Aged, impotent, decayed* People; for *maintenance of ſick and maimed Souldiers*; for *redemption and relief of Captives and Slaves in Turky*; for *building and repairing of Churches*, whereof there is great want in this Kingdom, more eſpecially in the Suburbs of *London*, where not a fourth part of the Pariſhioners can at once enter into their Pariſh Church, at leaſt not well hear Divine Service, to the great ſhame of the Proteſtant Profeſſors, who ſince the Reformation till very lately have (as our Adverſaries obſerve) erected ſcarce one conſiderable ſolid Structure for the worſhip of God.

For

For *repairing the Mother-Church of the Mother-City of this Kingdom*, to the Glory of God and Honour of this City and Nation; for the ſpeedy promoting whereof, both King and Parliament, City and Country, Clergy and Laity, High and Low ſtand all engaged to lend their helping hands.

For erecting in *London*, and other great *Cities*, *Banks or Mounts of Piety*, (as have been long uſed in *Italy*, in *Flanders*, and other Countries,) whereby the intolerable oppreſſion of publick and private Brokers and Pawn-Takers (that grind the faces of the poor, ſcruing out of them yearly 40 or 50 *per Cent.*) may be utterly aboliſht.

For erecting *Hoſpitals in London* and other Cities (as there is at *Paris* and *Rome*) for to *receive all little Infants expoſed or found*; whereby many poor Innocents now deſtroyed in the womb, or at the Birth, are wittingly ſuffered to die to avoid further trouble and charges, might then be preſerved from *periſhing*, as well as many unnatural Mothers from *hanging*.

For building of *Hoſpitals* to accommodate therein all *poor Women* (as is done at *Paris*) *near the time of their Travel*, to enter, and there to be carefully delivered, and remain afterwards till they are in a condition to return home and follow their work.

For providing ſtipends for Phyſicians, Surgeons and Apothecaries (as at *Rome*) to give *gratis* their Advice, Pains, Medicines and Salves to poor, ſick or wounded people, allowed in *forma pauperis* to require their aſſiſtance, who otherwiſe periſh for want of timely and due helps.

For erecting *Colledges in London* (as is done in *Holland*) where old Men deprived of Wife and Children may for a reaſonable ſumm of Money be neatly accommodated during life, with Diet and Lodging, and paſs the reſt of their days without care or trouble in a comfortable Society with Men of like condition and age. And the like for old Women.

For erecting *Colledges* wherein Virgins and Widows of the *Proteſtant Religion*, reſolving not to marry (as the Begains in *Holland*,

286

Holland, *Brabant*, *Flanders*, &c.) may for a certain ſumm of Money depoſed, be maintained, and live in a retired, vertuous and religious Society, there Teaching and Educating in Vertue and Piety the Female youth of this Nation (whereof there is now more need than ever) and ſuch young Virgin-Scholars may there remain conſtantly till their Marriage day, before which time very many by too much liberty are now corrupted and debauched: and that the ſaid Virgins and Widows of the Society, may (with the forfeiture of the ſaid Money depoſed, and leave of their Viſitor) be free to alter their reſolutions, and quit the Society.

For erecting in *London* a Colledge *de propaganda Fide* (as our Adverſaries have done at *Rome*) for propagating the Chriſtian Reformed Religion amongſt the *Americans* bordering on the *Engliſh* Plantations, (where it is a ſhame to this Nation, that ſo few in the ſpace of ſo many years have been converted to Chriſtianity, and where for theſe 40 years thoſe *Americans* ſeem to call and cry (as the Man of *Macedonia* did to St. *Paul*, Act. 16. 9.) Come over to us in *America* and help us) and for that end to ſend from time to time perſons fitly *Gifted* for a work ſo *tranſcendently pious*: And becauſe many excelling in the gift of Preaching, being now for their Nonconformity laid aſide, do ſecretly occaſion unlawful Conventicles, foment Schiſms, and hold up the Faction, and thereby hazard the diſturbance of this Church and State, that all ſuch gifted Men may be encouraged by competent allowances out of the ſaid publick Stock, or commanded and compelled to Tranſport themſelves thither within the ſpace of one or two years, there to promote ſuch a Chriſtian and Apoſtolical work.

XI. Moreover, Whereas there are in the out-skirts of *England* many dry and barren places that want much watering, and many dark corners that want great Lights; and whereas in *London*, and moſt great Cities of this Kingdom, the people generally being more knowing Chriſtians than in any Country

Country of the World, the dimmer Lights may ſerve there, that many of thoſe late Nonconforming Divines, who have the beſt faculty in Pulpit preaching, and all Lecturers eſpecially, may for a time be enjoyned to leave *London*, and other great Cities, and be allured by plentiful Salaries paid out of the ſaid publick Stock, or elſe conſtrained to tranſplant themſelves, as ſo many Apoſtles amongſt thoſe poor blind ſouls, who are yet ignorant of the firſt Principles of Chriſtianity, and there to preach in ſeaſon and out of ſeaſon, until they alſo ſhall be in ſome meaſure able to render a reaſon of the Chriſtian Faith and Profeſſion.

For buying in of Impropriations (a work not only worthy of a Parliament, but to the doing whereof, all the Parliaments ſince 27 *H.* 8. ſtand obnoxious (ſaith the learned *Bacon*) and bound in conſcience to God) whereby the Church might enjoy her own again, the Kings Revenue much encreaſed by Tenths and Firſt-Fruits, and the Cures of all thoſe great and populous Pariſhes hitherto ſtarved for want of Spiritual food be duly ſerved, and the foul guilt of that abominable ſin of Sacriledge taken off this Nation, and off the Proteſtant Religion. Provided, that no Impropriator ſhall take above 10 or 12 years Purchaſe for any Impropriated Tythes, as the Cuſtom uſual hath been.

There was a juncture of time when much of this might eaſily have been another way effected, *viz.* If when the Capite Tenures were made free, every Man that held any Land *in Capite* had been obliged to have given according to all juſtice and equity but four years purchaſe for that freedom which hath now made their Lands four years purchaſe better than before; for no Man could pretend any reaſon why he ſhould have ſuch a benefit *gratis*.

XII. That all Advouſons of *England*, not now in the Crown, may be all bought in at reaſonable values, and ſetled for ever upon the Crown, that ſo all Rectors of Pariſhes (as well as Biſhops, Deans and Prebends) may have their dependance on the

287

the Kings bounty only, (as all the Clergy in ſome Reformed Churches now have) and not on any mean, covetous, illiterate, factious, heterodox, ſymoniacal or ſacrilegious Patron; by which one means all the Engliſh Clergy would ſoon become Loyal and Orthodox, and the whole Engliſh Church would flouriſh in a perfect Unity, and a beautiful Uniformity.

XIII. For making ſome competent Proviſion (according to the practice of other Reformed Churches) for the poor Widows and Orphans of Clergy-men, of whom God took ſpecial care in the Jewiſh Common-wealth, the Sons there being to inherit their Fathers places, and the Daughters to be match'd as well as their Mothers: or elſe, as in ſome other Chriſtian Churches, utterly to forbid Marriage to all that ſhall be in Orders.

XIV. That for rewarding and encouraging all diligence, faithfulneſs, and humble obedience in Servants (now ſo rare in *England*) every Man-ſervant and Maid-ſervant that ſhall continue ſeven years in one and the ſame ſervice, may at the expiration thereof have 10 *l.* paid out of the ſaid publick Stock, as is already done for one Pariſh in *London*, by the charitable Benevolence of a Citizen that died in that Pariſh, and at the Town of *Reading* by the late Archbiſhop *Laud*.

XV. Whereas it is a very great diſhonour, blemiſh and ſhame to the Policy and Government of the City of *London*, being the principal City of this Nation, that not only the great Roads leading to and from the ſaid City ſhould continue for the greateſt part of the year miry, foul and noyſome, to the great inconvenience and danger to all Waggons, Carts and Coaches, and to all People riding or travelling to and from the ſaid City, but alſo that moſt of the Streets of *London* ſhould ſtill be the moſt dirty, naſty, ſtinking ſtreets of any Capital City now in *Europe*, notwithſtanding the moſt advantagious Situation thereof, and notwith-

ſtanding the late Act of Parliament for redreſſing the ſame. That therefore the late Tax, impoſed yearly by the ſaid Act upon Hackney Coaches, and all Moneys uſually paid to Scavengers, may be added to the ſaid publick Stock, and a competent ſumm thereof yearly iſſued out (for remedying the ſaid annoyances) to other Commiſſioners accountable to the Lord Mayor for the time being, *&c.*

XVI. Whereas good Laws are to little purpoſe without due Execution; and it is found by experience in this Kingdom, eſpecially of late years, that very little execution will be without rewards for thoſe that are appointed to execute the ſame. That all Juſtices of Peace, and their Clerks; all Mayors, Bayliffs, Sheriffs, Conſtables, Churchwardens, and other Officers, may have (according to the Policy of ſome of our Neighbour-Nations) certain Fees, and competent Rewards paid out of the ſaid publick Stock for all things they ſhall do in purſuance of their reſpective Offices, and in executing the Laws of the Land.

An Act for allowing 20 or 30 *l.* to any one that ſhall bring in a Highway Robber, and in caſe one Robber will bring in another, that he ſhall not only be pardoned, but alſo have the Reward of 20 *l.*

For the farther encreaſe of the Price of *Wool* it may be enacted, that not only the Dead ſhould be clothed in Wool, but that all the Living from the Firſt of *November* to the Firſt of *May*, ſhall be obliged to wear their Clothes and Hats made of Wool.

That to avoid ſo many Suits and Actions of *Scandalum Magnatum*, and yet for the better preſervation of the Honour and Priviledges of all *Engliſh* Nobility and true Gentry, a Court of Honour may again be erected in *London* with ſufficient Cautions and Proviſo's that the ſame Court may not abuſe its juſt power, and the uſe thereof may continue for ever.

That none but Married Men, or who have been once Married, ſhall be after the age of 35 years capable of any Office of Pro-

Profit or Honor, according to a Law once among the *Romans*.

An Act of Parliament for Naturalizing all those of the *French* Nation, who are, or shall come over for refuge, and that they may be suffered to enjoy their Religion, especially all those who are Artizans or Handycraft-Men, and are willing to Conform to the Church of *England* established by Law, and to encourage all such who will take *English* Apprentices, and teach them to make all sorts of Paper, of rough Hats, of course Canvas, of Point Lace, of Silks, of Scissers, of Needles, to make Vinegar, *&c.* all Box Combs, Gold and Silver Lace, some sorts of Silks, some sort of Goldsmiths Ware, as Spoons, Forks, *&c.* which are made better in *France* than in *England*, and for all which vast summs of Money are returned into *France*.

An Act of Parliament for punishing some sort of Perjury with Death, other sort with Transportation, and other with Pillory, *&c.*

An Act of Parliament for the better avoiding of Fires, and Burning of Houses, especially in the City of *London*, and for avoiding the stealing and robbing of Goods in time of the Fire.

That if a Son or Daughter should Marry without the consent of their Parents or Guardians, that the Marriage should be Null, as in *France*.

Some other chargeable Proposals, probably beneficial to this Nation, might be hereunto added by such as have made it their business to observe this and other civil Governments beyond the Seas; also some other ways and means of raising moneys without *grieving the People*, which is the very *quintescence* of all State-policy; but let those be reserved for another occasion. Hereafter follow divers unchargeable Proposals that will require no cost or charges, but only the Humble Petition of the two Houses of Parliament, and His Majesties Royal Assent.

XVII. It is an ancient *Maxime: Interest Reip. ut re suâ quisque bene utatur*; It is the Interest of the Common-wealth,

that every Subject ſhould make a right uſe of his own Eſtate: wherefore amongſt the Fundamental Laws of the ancient *Romans*, thoſe Laws of the twelve Tables, (obſerved by them almoſt as Sacredly as the Two Tables, or Ten Commandments by the *Jews*) it is eſpecially provided, That a Guardian ſhould be ſet over the Perſon and Eſtate, not only of Ideots and Mad men, but of all prodigal Perſons: This Law hath been derived from them to all our Neighbour-Nations, and enjoyed by them ever ſince they enjoyed Civility, even to this very day. To *England* only this Law is wanting; not that *England* is without ſuch unreaſonable Creatures, for it hath been obſerved that the *Engliſh* Nation is naturally as much or more addicted to prodigality than any Nation in *Europe*; the ſad effects whereof are every day before our eyes: Wives that have brought great Eſtates, left poor needy Widows; Children of Noble and Illuſtrious Families, brought to a morſel of Bread, and to do baſe ignominious things, unworthy of their Noble Anceſtors, and diſhonourable to the very degrees of Honour which their Fathers purchaſed by their Merit, and maintained by their laudable Frugality. Where this forementioned Law is in uſe, the prodigal perſon is thus defined [*Is qui neque modum neque finem habet in Expenſis*, One that ſpends without limits or bounds:] Any Man being proved to be ſuch, is declared uncapable of managing his own Eſtate, or of making a Will, or of entring into Bond, or of being a Witneſs, *&c.* And thereupon a Guardian is put over him and his Eſtate, to allow him neceſſaries out of his own Eſtate, and to preſerve the reſt to his next kindred. Now the King of *England* hath his *Breve de Inquirendo de Idiota*, and his *Breve de Inquirendo de Furioſo*; and can any ſolid reaſon be produced why His Majeſty ſhould not have alſo his *Breve de Inquirendo de Prodigo* directed in like manner to the Eſcheater of the County to be tried by a Jury of twelve men? that ſo a general ſtop may be put to the wild expences and extravagant profuſeneſs of all *Engliſh* Men, and more eſpeci-

ally

ally (as in *Spain*, becauſe the Nobility is eſteemed the chief and main ſupport of Monarchy) that no Noble Man ſhall have power to waſte or alienate ſo much of his Anceſtors Lands as may render him uncapable of ſerving his Prince and Country, or to bear the Port of a Noble Man.

XVIII. There is another *Maxime* [*Intereſt Reipub. ut ſuprema hominum Teſtamenta rata habeantur ſecundum veram Teſtatoris Intentionem*] It concerns the Common-wealth, that Mens laſt Wills and Teſtaments ſhould be ratified and executed according to the true meaning of the Teſtator; For this purpoſe was made the Statute of Charitable uſes 43 of Q. *Eliz.* to provide againſt the imbezilling and miſ imployment of Moneys and Lands given to charitable Uſes, by giving power to the Biſhop and his Chancellour, and to ſome other conſiderable perſons, to Iſſue out Commiſſions for enquiring and ordering the ſame. Nevertheleſs, by the neglect of ſome, and want of zeal in others, ſuch Commiſſions are ſeldom deſired, though perhaps not hardly obtained. Wherefore that by another Statute it may be provided, that every Biſhop and his Chancellour (together with ſome other conſiderable perſons, as is intimated in the fore quoted Statute) within one year after each Biſhops Inſtalment, ſhall upon a high penalty purchaſe and execute ſuch Commiſſion throughout his Dioceſs.

XIX. That according to the Inſtitution of King *Edward* the Firſt, our *Engliſh* Juſtinian, once every three year Juſtices *de Trail Baſton* may be commiſſionated to make Inquiſition through the Realm, by the verdict of ſubſtantial Juries, upon all Officers, Sheriffs, Mayors, Juſtices of Peace, Coroners, Eſcheaters, Bayliffs, Conſtables, Jaylors, *&c.* touching their Oppreſſions, Extortions, Briberies, Cheatings; touching their Male-government and neglect of executing the good Laws reſpectively.

XX. That (as hath lately been effected in *France*) all our Laws Civil or Eccleſiaſtical which moſt concern the Subject may be digeſted into one volume, and plainly ſet down in

our

our vulgar Tongue, and at due time and by parcels be read in Churches, that every Man may be knowing in the Laws Humane as well as Divine, and be as perfect therein as once the Jews were, who (as *Josephus* obſerves) by hearing their Laws read conſtantly in their Synagogues, became as perfect therein as of their own Names.

XXI. That the Statutes of 12 *Rich.* 2. and 5 *Ed.* 6. againſt the ſale of Offices, may be revived, alſo that no Reverſions may be granted, that ſo *Vertue* and *Wiſdom*, long *experience* and *honeſty*, *faithfulneſs* and *loyalty*, may no longer be baffled and diſcouraged, by ſeeing it ſelf vilified, and money preponderate all worth, and thereby Juſtice very oft ſold, with divers other Inconveniences.

XXII. That proviſion by a Statute be made againſt that Unchriſtian, and more than barbarous cuſtom and priviledge of *Wreccum Maris* in *England*, never ſo allowed by the Imperial Laws, or any neighbour Nation, and once baniſht out of *England* by an Act made 2 *R.* 1. That in caſe of Shipwrack, *though all perſons periſhed*, yet that all the goods which eſcaped ſhould be carefully preſerved for the owners, or next of kin, if they come within a year and a day; only allowing ſomething to thoſe that helpt to ſave the goods, and preſerved them afterwards.

XXIII. That by a Law the Fees of Lawyers may be regulated according to the moderation of other well policed Countries, where uſually is given but a third or fourth part of what is expected in *England*. And that if any Lawyer preſume to take more than the Fees by Law allowed, he may be rendred uncapable to practice any more, and forfeit four-fold of what he hath ſo taken, as is provided by the Civil Laws.

XXIV. That as in the Reign of *Edward* the Second, the number of Attorneys was regulated, and 140 declared to be ſufficient to ſerve this whole Kingdom in that peaceable age; ſo now that the exceſſive number of Lawyers and Attorneys may be reduced to a competent number for this Age, and

ſome

290

ſome things in their Pleadings reformed. What a ſhame to our Nation is it, that ſo many evil and rapacious Lawyers ſhould be permitted to plead in behalf of known vitious perſons, and of manifeſt oppreſſors, and in cauſes notoriouſly unjuſt; ſhould be permitted to make a trade not to miniſter Juſtice, but to heap up riches, and devour all the fat of the Land.

XXV. That proviſion may be made to mitigate all ſuch Laws which by the change of things and times are now become over ſevere and rigorous, much beyond the intent of the Law-makers. As that ſtealing to the value of 12 *d.* ſhould ſtill be Felony, whereas when the Law was firſt made, what was then ſold for 12*d.* (which (when the ounce of Silver was but 20 *d.*) was as much as 3 *s.* now) is now ſold for above 40 *s*; for in 51 of K. *H.*3. eight Buſhels of Wheat was then ſold but for 12 *d*; ſo that the Man that ſtole but ſeven Buſhels committed but *petty Larceny*, whereas now he that ſteals but a Peck may be found guilty of Felony (unleſs the Jury will forſwear themſelves, as commonly they do, and bring in Eleven pence ſtoln when ſometimes it is Eleven ſhillings) as if the Life of Man in our days were of a ſmaller and viler price than in thoſe days. So in the time of *H.* 2. the ſtealing of Oxen and Horſes were counted *inter minuta furta*, which Lawyers call *Parvum Latrocinium*, or *Petty Larceny*. Now why ſhould the body of Man, that *Divinæ imaginis vehiculum* be deſtroyed for trifles? why ſhould Chriſtians now be more cruel than the Jews, or then Chriſtians in former ages? for in the middle ages of Chriſtianity *Pœnarum ratio in mulctis potius quam in ſanguine & nece ſita fuit*. They then allowed a compenſation even for killing of a Man called *Wergeld*, *quaſi viri moneta ſive prætium*, which was with great juſtice paid partly to the King for the loſs of his Subject, and partly to the Lord whoſe Vaſſal the ſlain party was, but eſpecially to the next Kindred of the perſon ſlain; and this cuſtom ſeemed to derive it ſelf from *Moſes* Law, *Exod.* 21. 30. Our Anceſtors,

ſtors in this Kingdom before they were Chriſtians had this Cuſtom, then thinking it againſt reaſon, that when one Man was killed, and the King thereby had loſt a Subject, that another ſhould be put to death, and ſo the King loſe another Subject, and the Kindred of the ſlain no way recompenſed for their loſs as now is uſed. And after they were converted to Chriſtianity, and did believe that penitent Chriſtians went to Heaven, they thought it more againſt reaſon, when a Man was ſlain, to ſend the *penitent* Man ſlayer forthwith from this miſerable World to a place of everlaſting bliſs, but rather that he ſhould by a corporal or pecuniary mulct be made miſerable in this life, it being much more ſuitable to the ends of Government, that a criminal ſhould live in perpetual ignominy, ſlavery or miſery, rather than be taken quite away, becauſe a living condemned wretched Criminal will be a ſpectacle in others eyes, will in time be convinced of his Crime, will juſtifie his Judge, and continually repent his own folly. And therefore, even ſince the *Norman* Conqueſt for Treaſon, or foul Felonies, the guilty were oft condemned to have their eyes pulled forth, or their Teſticles cut out, that there might be no more of the breed, or elſe that their hands or feet ſhould be chopt off, that ſo each foul Felon might remain *truncus vivus* as a living monument of his Felonious fact, for deterring others, and have time to bewail his own ſins and miſery.

But becauſe in *England* too much ſeverity is uſed againſt Theft, and yet not enough to reſtrain it ſufficiently; and becauſe the wiſdom of Prevention is better than the wiſdom of remedy.

XXVI. That to prevent Thievery, the like courſe may be taken in *England* which is uſed in *Holland*, eſpecially in that moſt populous City of *Amſterdam*, where (as God commanded the *Jews*, *Deut.* 15 4.) *Non eſt Indigens, nec Mendicus inter illos, & benedicit illis Dominus*: There is not a Beggar amongſt ſo many hundred thouſand: To effect which they do three things;

291

things; they take especial Order that all Youth be bred up, not only in the knowledg of God, but of some Trade or Profession: They provide work for all sorts of People; and Thirdly, they compel all such as are not willing to work. By this policy, in *Holland* it is rare to see an Execution for Robbery; and yet if a Man could but see at once all the Criminals, Young and Old, Male and Female that have been hanged in *England*, or transported in one year only for stealing; what Horror and Amazement it would strike, and how would a *Hollander* justly blame the policy of this State, for *Non minus turpia sunt Principi multa supplicia, quam Medico multa funera.*

XXVII. That for redressing those high Crimes (so accounted by all Gods people heretofore, though now in *England* little conscience is made thereof) of wilfully robbing God or the King; the one in his Tythes, and the other in his Tributes, Customs or Revenues; it may be made absolute Felony for the future, and very severe punishment inflicted, as it is now in other Countrys, and was anciently in this Kingdom.

To cozen the King but of Treasure Trove was anciently (as affirmeth *Glanvile* and *Bracton*) an offence punisht with death. And 31 of *Eliz.* it was judged meet by the whole Parliament to make it Felony for any Man to embezil but the worth of Twenty shillings of the Ammunition or Victuals provided by the Queen for her Souldiers.

XXVIII. Forasmuch as the custom of premediated Duelling is not only unchristian, unjust and unnecessary, but also most ridiculous and unreasonable (for what reason is there that a Gentleman who hath received an affront, or perhaps a beating, should think himself obliged to meet his Adversary in the Field, and there expose himself to be beaten again, and if he be so, yet to rest satisfied therewith) that it may be utterly abolisht out of this Nation as a Custom introduced by the Enemy of Mankind about the end of the last Century, this kind of Duelling being never known before in the world. Now that this is very feasible we may learn from our next

Neighbour-Nation heretofore infeſted with this Diabolical practice above and beyond any Nation in the world, and yet of late it is wholly diſuſed there: To effect which, Firſt that King declared the Penalty of Duelling to be Death without mercy, and the Duellers Eſtates to be confiſcated to the uſe of the next Hoſpital where any Duel was fought. Secondly, In the preſence of his Nobles he took a moſt ſolemn Oath, to except no Man whatſoever from the utmoſt rigour of this Law. Thirdly, He commanded all his Courts of Juſtice where any ſuch Cauſe ſhould come to ſpare no Man, nor have regard to the Kings own Letters to the contrary, if any ſuch ſhould be obtained. Fourthly, Forbad expreſly all the Princes and Nobles to preſume to intercede with his Majeſty in behalf of any Dueller, or to move him for any pardon. Fifthly, becauſe by experience it hath been found, that the ſevereſt Puniſhments appointed have not been fully effectual, nor ſufficient to deterr ſome men from this impious and pernicious uſage without firſt taking away the cauſes and occaſions thereof, that King earneſtly recommended this affair to all his Grand Mareſchals of *France*, enjoyning them to take ſpecial care not only to inflict due puniſhment on all Provokers and Agreſſors, but alſo in their wiſdom and diſcretion to appoint Satisfactions and Reparations of Honour to the Party attact or provoked, and alſo to conſtitute Judges *du point d'Honneur* in ſeveral parts of the Kingdom, who upon all Quarrels and Rencounters were to declare what kind of ſatisfaction ſhould be ſufficient, and what ſubmiſſions to be made to the injured perſon, how his honour might be ſaved without ſending a Challenge, and what anſwers to make to one that challengeth, *&c.* as more at large may appear in the ſolemn Declarations of that King, and in the Orders and Reglements ſet forth by his Grand Mareſchals.

XXIX. That, according to the Law of God, according to Chriſtian Clemency, Gentleneſs and Mercy, according to the Laws of other Chriſtian States, and according to the ancient

ancient Laws and Cuſtoms of this State ; no perſon hereafter may for any new Debt be caſt into priſon, but rather that his Eſtate may be ſeized, and the perſon left at liberty to work himſelf out of Debt by his Induſtry, Trade or Profeſſion : to which end, if Creditors did proceed only by Summons, after which legally ſerved at the Debtors Houſe, and no appearance made, then preſently proceed to have a Judgment againſt the Debtor, as if he had appeared, and then to execution ; and thereupon, to ſeize not his perſon but Eſtate ; and in caſe he hath no Eſtate, yet to forbear, till by his Induſtry he hath gotten ſomewhat ; for impriſonment is not only too ſevere a puniſhment of the Body, a torment of the Mind, a dying daily, a loſs of Reputation, and alienation of Friends, a ſeparation from Wife and Children, and a great occaſion of being ever after debaucht and diſhoneſt ; but it is alſo clearly againſt the Creditors profit and advantage ; for the Debtor being caſt in priſon, muſt there lie at much more charges than at home, and yet find leſs opportunity to work or earn any thing, which makes him commonly hold faſter what is in his hands, which elſe he would have parted with towards ſatisfaction of his Debts, and endeavoured by his Work or Trade to have maintained himſelf and Family. Beſides, by impriſoning the Body of a Debtor, the State loſeth a Member, which at liberty, or compelled to work, might be of ſome conſiderable uſe.

XXX. That ſome proviſion be made againſt the vexatious and ſuperſtitious cuſtom of ſtopping any dead Body in its paſſage through any Town or Lordſhip, and demanding ſome Fee or Toll for the ſame, before the Body paſs further on.

XXXI That the Admiralty, and all Eccleſiaſtical and Civil Law Courts may enjoy their due Juriſdictions, That thoſe Juriſdictions may be declared and known, that ſo no man (when he hath brought his Suit almoſt to a Trial) may by a Prohibition be conſtrained to begin all again in a

new Court, to his horrible vexation, expences and charges.

XXXII. That according to the ancient Cuſtom of this and all other Chriſtian States, all Eccleſiaſtical Judges may have a power to proceed *Ex Officio*; That way of Enquiry being exceedingly neceſſary for correcting of vice and ſin which otherwiſe will daily go unpuniſhed: Inſomuch that by the Civil Law it is called *Nobile Judicis Officium*, and was never oppoſed but by the Factious Puritanical part of *England*, out of deſign to diſturb the Engliſh Church Government; ſuch enquiry and proceeding *Ex Officio* without an Accuſer, but only upon publick Fame, ſtrong Preſumption, *&c.* being approved by ſundry examples of Scripture, as well as by all Canon, Civil, and Common Laws.

It is true, that by the Conſtitutions at Common Law in *England*, it hath not been held fit that any perſon ſhould be examined upon Oath againſt himſelf touching a Crime, whereby his Life, or any of his Limbs may be endangered; and the reaſon is, for fear of occaſioning Perjury, becauſe moſt men probably would rather hazard an untrue Oath, (although no good Chriſtian ought ſo to do) then either their Lives or their Limbs. But yet in Criminal matters, not capital, handled in Chancery, the Oath of the party is required againſt himſelf; only there is an Accuſer, and an Accuſation or Bill of Complaint, and not a meer inſinuation of fame, as in the proceeding *ex officio* ſometimes. But then it is to be conſidered that the Complainant, to find out the truth, may ſtuff his Bill full of lies, becauſe he is not ſworn to the Truth of the Bill, as the Defendant is to the Truth of his Anſwer: and what is this leſs than the proceeding *Ex Officio*, when the Defendant is forced in his Anſwer (which is always upon Oath) to accuſe himſelf. Beſides, in dangerous Crimes againſt the perſon of the King, or Peace of the Kingdom, it hath always been held neceſſary and lawful Policy, to torture ſuch perſons againſt whom good proba-

probabilities and ſtrong preſumptions lie, to make them confeſs, although it be capital againſt themſelves and others in the higheſt degree : And is it not of as great equity in high Crimes againſt the King of Heaven and Earth, and in Crimes of no leſs ſecreſie, as Atheiſm, Apoſtacy, Adultery, Inceſt, *&c.* to uſe the means of the Parties Oath, eſpecially where no Capital, no Corporal puniſhment is intended, but only a fatherly and ſpiritual correcting and reforming of the Party for his ſouls health ? Moreover the proceeding *Ex Officio*, is not (as many vainly imagine) only the miniſtring of an Oath to the ſuſpected party againſt himſelf in a Cauſe Criminal ; for there may be proceeding *Ex Officio Judicis*, though the Oath be not at all urged ; nay, ſometimes it may not be urged, as in caſe of Life or Limb endangered thereby.

Now if there ſhould be in *England* no means for an Eccleſiaſtical Judg to take cognizance, nor to proceed but upon the voluntary proſecution and accuſation of ſome party, how many execrable offences moſt diſpleaſing to God Almighty, ſcandalous to the Chriſtian Profeſſion, dangerous to mens Inheritances, and to the ſouls health of the offenders ; yea, ſome that are the very bane of all Religion and Chriſtianity, would through want of diſcovery, and by impunity, in a few years ſpread themſelves over this whole Church and State before any Accuſers will be found? As Atheiſm, Apoſtacy from Chriſtianity, Hereſie, Schiſm, Errors in matters of Religion, Sacriledge, Perjury, Blaſphemy, Subornation of Perjury, Swearing, Polygamy, Adultery, Inceſt, and other Uncleanneſs, Drunkenneſs, exceſſive Uſury, Symony, Forgery, Uſurpation of the Holy Miniſtry, Conventicles, ungodly Libelling, and many other abuſes : For who commonly are privy to ſuch ſins, but men of like humour and affection, who can never be preſumed to be likely to accuſe, but rather to conceal ſuch horrid offenders ; and therefore ſince that power of thus proceeding was by

that

that moſt pernicious overruling Faction in the Long Parliament extorted from the Church; How have all thoſe forementioned Impieties, like a general Deluge, overwhelmed the Manners of Engliſh men?

XXXIII. That it may by a Law be provided (according to the practice of other well policed States) that an obſtinate debaucht Son may be puniſht by the Magiſtrate as the Father ſhall reaſonably require, and that in ſome certain caſes, (as is ordained by the Imperial Laws) *Liberi a poteſtate patria liberati in poteſtatem redigantur, ut ſi fuerint ingrati vel inſigniter injurioſi in parentes ſuos, &c.* Children freed from their Parents Power may be reduced under their Power, as in caſe they become notoriouſly ingrateful, or injurious, *&c.*

XXXIV. That no Man, till he attain to the age of at leaſt 25. *ad annum conſiſtentiæ* (according to the Cuſtom of our Southern Neighbours where men are ſooner ripe) may be enabled to ſell or alienate his Lands, conſidering that in *England* very many Eſtates have been moſt fooliſhly ſpent and ſold, after the Age of 21. which by the ſame Perſons, arriving to their Wits before 25. would have been preſerved.

XXXV. That (according to the Policy of *William* the Conquerour for aſſuring of Peace and Concord) no man of any conſiderable Eſtate, who was in actual Rebellion againſt the former or preſent King, may be permitted to match their Sons and Daughters (as they now do) to thoſe of their own Tribe and Faction, thereby entailing Nonconformity and Faction, and perpetuating an impious hatred againſt the preſent Government of Church and State.

XXXVI. That to take off ſome of the preſent continual charge of Foot and Horſe in conſtant pay, and yet aſſure peace amongſt us, that moſt excellent and politick Law may be revived called *Viſus Franci Plegii*, whereby all Men under the degree of Gentry and Clergy, may ſtand obliged to find Sure-

ties

ties for their Loyalty toward the King; and thoſe Sureties to be bound to find each man of their Pledge to be forth coming within 31 days, or elſe to ſatisfie for his offence; and that all perſons who cannot find ſuch Sureties, may be impriſon'd or baniſh'd. This Cuſtom was by our Anceſtors ſo highly approved, that by *Bracton* it is called *Res quaſi Sacra quia ſolam perſonam Regis reſpicit & introducta fuit pro pace & communi utilitate Regni.* And in caſe this ſhould not be aſſented unto; then conſidering that the King muſt neceſſarily be at the continual charge of armed men, to bridle the proud diſloyal humour of all thoſe Sons of *Belial*, who obſtinately refuſe Conformity to the Government eſtabliſht, that they all, in all Taxes may be obliged to pay double, if not to defray the whole charges, which they themſelves occaſion.

XXXVII. That all Nonconforming Miniſters yet living, may by an Act of Parliament, be obliged publickly to declare (in the Market-town next to their abode) by word of mouth, their hearty recantation of their principal Factious, Seditious and Rebelious Aſſertions, now extant in Print: Whereby the eyes of the many ſeduced people may be opened, and may at length perceive how impiouſly they have been miſled and abuſed. That the penalty for refuſing to make ſuch recantation may be Baniſhment at the leaſt: For if any refuſe ſo to do, it muſt either be through ſcorn and contempt of Authority, or elſe that they are ſtill in heart, as rebellious and ſeditious as ever; either of which, in other Countrys would be puniſhed more ſeverely.

XXXVIII. That Repeal may be made of that unnatural Law of puniſhing the Innocent in caſe he flie: for if a man be accuſed of a Capital Crime, and perceiving the power and malice of his Enemy, and the often corruption, and partiality of ſome Judge, ſhould run away for fear of the event, and afterwards be taken and brought to a legal Tryal, and there making it ſufficiently appear that he was not guilty of the Crime, is therefore acquitted; yet ſhall he be by our Law con-

condemned to loſe his Goods. It is true, that a written Law may forbid Innocents to fly, but that flying, for fear of injury ſhould (after a Man is abſolved of a Crime judicially) be taken for preſumption of Guilt, is contrary to the nature of a preſumption, which ought to have no place after Judgment given.

XXXIX. That for the poor who are aſhamed to diſcover their Poverty, and to declare their wants, there may be yearly appointed Commiſſioners or Overſeers (according to that excellent cuſtom in *Holland*) to go to their Houſes, and there privately to inform themſelves of their neceſſities and condition of life, and to take care for a private Relief before they are conſtrained to beg, or do worſe.

XL. That according to the wiſdom of our Anceſtors, and the cuſtom of the moſt civilized Nations, ſome ſumptuary Laws may be made, whereby the great Exceſs, eſpecially in the *inferiour ſort of Engliſh*, may be reſtrained, and moſt Degrees and Orders may be diſcerned by their Habit or Port, as now in the Univerſities and amongſt the Clergy is partly done.

XLI. That as in the Courts at *Weſtminſter*, ſo much more in the higheſt Court of *England*; all Parliament Men whilſt they attend on the Parliament may be obliged upon high penalties to wear a Robe or Veſtment becoming their reſpective Perſons, and the Gravity and Authority of the *Engliſh* Parliament or Great Counſel of *England* (as all the Nobility and Gentry both young and old who have right to ſit in the Great Counſel at *Venice*, and all the *Roman* Senators did anciently and do at this day) that ſo they may every where be diſcerned and receive their due reſpect, and be aſhamed (as we ſee many Clergy-men now are for their Robes ſake) to be ſeen frequently in Play-houſes, Dicing-houſes, Cockpits, Taverns, or Houſes of worſe Repute; or to be Night walkers, *&c.* And during their attendance on Parliament if they be found in in ſuch places and ways out of their Robe or Veſtment, than

than to loſe their wonted Protection from Arreſts, according to that ſaying [God giveth his Angels charge over us to keep us, whilſt we are in our ways] but out of our ways no protection of his Angels to be expected] Let no Man here object that Parliament Men ought rather to wear their ſwords, which ſuit not with Robes or Gowns, becauſe the Writ to the Sheriff runs for to chuſe *duos Milites gladiis cinctos*, for the meaning thereof is two Knights dubbed, which in thoſe days was done by girding on a Sword: but it was ever expected, and ſometimes eſpecially commanded that they ſhould attend on Parliament a Counſel of Peace *gladiis diſcincti*, without their Swords, and their Robes then will be ſufficient Guard for their perſons as well in *England*, as it is now in other Countries.

XLI. That as the Coins, ſo the Weights and Meaſures both wet and dry may be (according to *Magna Charta* and 14 *Edw.* 3.) exactly alike all over *England*, as it is carefully provided in other Countries.

XLII. That moſt, if not all eatable things expoſed to ſale in the Market as well as in Shops, may be ſold by weight, (as is done in *Spain*) and alſo may Weekly or Monthly be Rated at a reaſonable rate (as Bread in Cities) by the Magiſtrates or Officers ſworn ſo to do.

XLIII. That, (according to the good Policy of *Italy*) all Taverns, Inns, Ale houſes, Victualling houſes, may be obliged to have a printed Table hang publickly of the Prices of all ſuch things as they are wont or allowed to ſell to Gueſts.

XLIV. That no Vintner, Inn-keeper, Ale-ſeller, Victualler or Malſter, may in any Corporation be intruſted with the Execution of thoſe Laws which may in any ways prejudice their profit.

XLV. That to reduce ſervants to their priſtine and due humility, diligence, frugality, faithfulneſs and obedience, a Law be made that no Servant ſhall be henceforth received into any other ſervice without a Teſtimonial under the Hands and

Seals of their former Maſter or Miſtriſs, that they are competently endowed with all thoſe qualities fore-mentioned.

XLVI. That (according to the excellent policy of the *Romans*) there may be appointed ſome perſons of the beſt Rank and Quality, both in City and Country to be *Cenſores Morum*, for reforming of Manners (whereof an univerſal corruption ſeems now to be in *England*) to be furniſht with a power to enquire into Mens lives, to take notice if any Man neglects his Farm, Trade or Profeſſion; and how he otherwiſe maintaineth himſelf.

XLVII. That ſpecial Proviſion be made for *executing* all our good Laws already enacted for the encreaſe of *Tillage*, where more People may be ſet on work, and they rendred more ſtrong and ſtout for Service of their Country againſt an Enemy. And likewiſe for executing the Laws made for encreaſe of *Fiſhing*, whereby more People may be fitted for Sea-ſervice, whereof this Kingdom ſurrounded almoſt with the Sea will ever have ſpecial uſe.

And more particularly that in the time of Lent, and all faſting days none to eat fleſh without Licenſe, as is done in a great part of *Spain*, and the Money paid for ſuch Licenſes to be wholly applied towards the promoting of the Herring Fiſhing upon the Coaſt of *England*, which to the ſhame of this Nation is now unjuſtly engroſſed by the *Hollander*.

XLVIII. That according to the good Policy of our Anceſtors, all the Married Nobility and Gentry of *England* (without ſpecial leave of His Majeſty to do otherwiſe) may be obliged to keep houſe in the Country, every one at his own *Manerium*, ſo named, a *Manendo* of abiding there, *Ut ſemper preſto eſſent ad Servitia Regis & Patriæ perimplenda*, to be ready there to ſerve his King and Country, and by a laudable Hoſpitality to gain the affections aad dependances of the Peaſantry.

XLIX. That according to ancient Canons of the Church, and according to divers other Reformed Churches, and according

ding to the cuſtome of the Primitive Chriſtians, no dead body may be hereafter interred in any Church, eſpecially in *London*, or the Suburbs thereof, but either in ſome Vault, or elſe in the Church-yard, or rather in ſome decent incloſed place without the City. To bury in Churches is to the dead no benefit: and to the Living it is not only chargeable but moſt unwholeſome, that ſo many putrified Carcaſſes ſhould be ſo near under their Noſes all the time of their Devotion.

L. That as all Clergy men are by Common Law exempted from all inferiour Offices, as Bailiff, Beadle, Conſtable, *&c.* to ſerve neither *per ſe nec per alium*, to the end that they may attend their function; ſo they may (according to meer reaſon, and according to a Statute 8 *H.* 4. num. 12. in the unprinted Parliament Rolls) be exempted from arraying and muſtring of Men or Horſe for the War: For their Glebe Lands, and Spiritual Revenues being held in *Purâ & perpetuâ Eleemoſyna*, i.e. *Frank Almoyne*, ought by *Magna Charta* to be exempted from all ſuch burdens. And as for their perſons, they ſerve their Country otherwiſe, and for that ſervice ought to be counted worthy (as well, if not better than the *Levites* of old) of their Spiritual Profits and Revenues, and alſo worthy of the Kings Protection, not only for their Service, but alſo in that they pay to the King the firſt years Profits, and every year the Tenth of all Spiritual Benefices. Beſides, the Clergy being by their Function prohibited to wear Swords, may neither ſerve in perſon, nor can be capable of any Honour, as Knighthood uſually conferred on Warriours.

LI. That as *nullum tempus occurrit Regi*, no Cuſtome nor preſcription may be pleaded to the prejudice of the King; ſo alſo with much more reaſon, that no Cuſtome nor Preſcription may be pleaded to the prejudice of the King of Kings: That all Compoſitions or Cuſtomes of paying a little money for a great Tithe may be every where abrogated, and all Tithes taken again in kind, or a new Compoſition according to the preſent value, which is but juſtice, and more concerns this

Parliament to do for the Church then it concerned the Parliament 18 of *Eliz.* to do for Colledges by obliging their Tenants to pay one third part of their old Rent in Corn.

LII. That all Lands anciently belonging to the Knights-Templars, Hoſpitallers of St. *John of Jeruſalem*, or the Order of Ciſtercian Monks, which by Popiſh diſpenſation were anciently exempted from paying Tithes, may *de novo* be obliged as all other Lands in *England* to pay Tithes; at leaſt all thoſe Lands given to thoſe Orders ſince the time they were ſo exempted, as by all Law and Juſtice they ought to do.

LIII. That our Eccleſiaſtical Officers, Chancellors, Commiſſaries, Officials, *&c.* may be in Holy Orders as the Canoniſts and modern Legiſts in the *Romiſh* Church, are for the moſt part; that ſo neither the Romaniſts on one hand, nor Presbyterians on the other, may have ſo much reaſon to except againſt them in the matter of Excommunication, as executed by Lay Hands: *Utcunque illi non aſſumunt clavium poteſtatem ſed tantummodo pœnam Canonis declarant, & infligunt ob contumaciam.*

LIV. That (as hath been long practiſed in the United *Netherlands*) Regiſters may be ſetled in every Hundred, or in every County at leaſt, and all Lands and Houſes may be entred into that Book, and therein all Alienations to be ſet down in Alphabetical Order, and none to be authentick if not there entred, that ſo no Man hereafter may be cheated by a Premorgage or any other way, but that all Men may be ſatisfied in what they poſſeſs, and what they may call their own.

LV. That as among the *Jews* where by immediate Divine appointment, the chief Clergy man *Aaron* was Brother to the Supream Magiſtrate *Moſes*, and the Prieſts and the Levites were all of Noble ſtock: and as amongſt *Chriſtians* even here in *England* anciently, and at this day in forreign Chriſtian States, the chief Clergy have been oft of Noble, and ſometimes of Royal blood, and the ordinary Prieſts uſually Sons of the Gentry, whereby they come to be more highly

highly Honoured, and their juſt Authority better obeyed; ſo now in *England*, that the two Archbiſhops may be (if poſſible) of the Higheſt, Noble (if not Royal) blood of *England*, and all the Biſhops of Noble blood, and the inferiour Prieſts, Sons of the Gentry, and not (after the example of that wicked Rebel *Jeroboam*, and our late Republicans) to make Prieſts of the loweſt of the People, whileſt Phyſick and Law, Profeſſions ever acknowledged in all Nations to be inferior to Divinity, are generally embraced by Gentlemen, and ſometimes by perſons Nobly deſcended, and preferred much above the Divines Profeſſion.

LVI. That as in the Univerſities, all Heads of Colledges (if their Founders intentions were rightly obſerved) and all Fellows of Coledges are obliged *communi jure* ſo long as they hold thoſe places to abſtain from Marriage and the carnal knowledg of Women; ſo in the Church, that not only Arch-biſhops and Biſhops, but all others that take any Eccleſiaſtical Benefice, may by a Statute be obliged ſo long as they hold thoſe Benefices to abſtain in like manner; and as without a Diſpenſation no man can hold two Benefices with Cure of Souls, ſo no beneficed man ſhould take a Wife without either Diſpenſation (in ſome few caſes to be allowed) or reſigning his Benefice. To ſay they cannot abſtain, or ſhall be occaſioned for want of Wives to do worſe; all Fellows of Colledges, who commonly there paſs the very heat of their Youth, might with much more reaſon plead the ſame, and yet would be derided for their pains. By which abſtinence the Clergy would be enabled to be much more hoſpitable and charitable, and ſo better beloved, they would live with more gravity and decency, and ſo more feared, they might then far better attend their Studies and Cure of Souls, and ſo be able to give up a better account at laſt.

LVII. That, according to the good Policy of Qu. *Elizabeth*, the Chancellours or Vice-Chancellours of both our Univerſities may be obliged to deliver the King every fourth

or

or fifth year a juſt, true and impartial Liſt of all the eminent and hopeful Students, eſpecially thoſe of the Civil Law, to ſet down punctually their Names, Colledges, Standings and Faculty, wherein they did or were likely to excel; that ſo when any occaſion ſhould be to ſend an Ambaſſador abroad, the King might nominate him an Aſſociate, a Secretary or Chaplain; and when any preferment fit for perſons of an Academical Education ſhould fall, the King might make choice of the perſon.

LVIII. That (ſince divers known Jews are by His Majeſties Princely Clemency permitted again to inhabit in this Kingdom) ſome good Laws (according to the wiſdom of His Majeſties Predeceſſours, and the preſent practice of other well-policed Chriſtian Dominions) may be enacted in order both to the Chriſtians ſafety, and the Jews Salvation. It was the ancient Law of *England*, as appears in *Fleta*, that a Chriſtian, whether Man or Woman, that Married with a Jew, ſhould be burnt alive.

In *Italy*, by expreſs Law all Jews (even in thoſe places where they are freely permitted to dwell) are made uncapable to bear any Office or dignity in the State, or to take any degree in the Univerſity, or to be ſeen in publick without a diſtinct mark to be diſcerned from all Chriſtians, or erect any new Synagogues, or circumciſe any not born of a Jew, or take to Wife a Chriſtian, or impugne the Chriſtian Doctrine, or to take into their Family a Chriſtian to ſerve as a Servant, or as a Nurſe, or to be admitted a witneſs againſt any Chriſtian, or be ſeen abroad on the day of our Saviours Paſſion, or to take any uſury of Chriſtians. Alſo that every *Saturday* Afternoon, they ſhall be obliged to ſend one out of each Family of the Jews to a Chriſtian Sermon appointed for them only, to the end that they may be converted to the Chriſtian Faith, or at leaſt be convinced of the Truth, and informed of the reaſonableneſs thereof, above and beyond all other Religions in the World.

LIX. That

LIX. That by an Act of Parliament, or by a Canon of the Convocation, the computation of the Church of *England*, at preſent erroneous and defective, may for the future be rendred more regular and perfect. For in the *Julian* or *Engliſh* Account, (by reaſon of the no allowance made for almoſt eleven minutes every year ſince the year of Chriſt 532.) the year with all its Feſtivals hath been brought back about ten days, and thereby cauſed a notable abſurdity, more eſpecially in the obſervation of the Feaſt of *Eaſter*, (which for Antiquity and Authority yields not (as Learned Chriſtians affirm) to our *Sunday* or *Lords Day*) for whereas by the Primitive inſtitution, after a long and hot contention between the *Eaſtern* and *Weſtern* Churches, about the time only of obſerving *Eaſter*, that Feaſt was at length by Decree of a general Council ordered to be obſerved for ever on the *Sunday* following the Firſt Full Moon after the Vernal Equinox, (and not on the day of the ſaid Full Moon, as the *Jews* ever have obſerved their Paſsover) now according to the Church of *England*, there falls ſometimes two Full Moons between the Vernal Equinox and *Eaſter-day*: Nay, (which is too great an abſurdity to be ſuffered in any Chriſtian Church) two *Eaſters* will ſometimes be obſerved in one year, and none in the next. As in the year of 1667. one *Eaſter* was obſerved on the 7th of *April*, and before our Church began to write 1668. that is to ſay, before the 25th of *March* next following there happened another *Eaſter*, *viz.* upon the 22 of *March* following, and then from the 25th of *March* 1668. to the 25th of *March* 1669. there was not any *Eaſter* at all obſerved in *England*, according to the preſent defective Rule, whereby is guided the *Engliſh* Computation.

LX. Whereas of late years many fruitleſs and undutiful Conteſts, Debates, Fears and Jealouſies, to the unſpeakable prejudice of the King and Kingdom, have riſen about the Kings Prerogative, the Priviledges of the Houſe of Peers, and of the Houſe of Commons, and about the Rights and Liberties of the Subject; That by a general conſent in Parliament

the

the Royal Prerogative (which in the hands of the King is as a Scepter of Gold, but in the hands of Subjects is as a Rod of Iron, as was ſufficiently felt when but that one Prerogative of continuing and diſſolving the Parliament was extorted from King *Charles* the firſt) may be in all points (as was lately done in that grand point of the Militia) ſtated, aſſerted, declared and eſtabliſht, and in like manner the ancient due and reſpective Priviledges of either Houſe of Parliament, and the true Rights and Liberties of the Subject.

LXI. That to prevent future miſchief to this Nation, ſome Clauſes in the late Act of Oblivion and Indemnity may be amended, or at leaſt explained, and more eſpecially about the beginning of that Act theſe words [That all manner of Treaſons, *&c.* counſelled, commanded, acted or done ſince *Jan.* 1637, and before *June* 1660, by vertue of any command, power, authority, commiſſion, warrant or inſtructions from his late Majeſty King *Charles*, or his Majeſty that now is, or from any other perſon deriving Authority from them, *&c.* be pardoned, *&c.*] which words might poſſibly be foiſted in deſignedly to inſinuate as if (according to that moſt abſurd and traiterous poſition of the Rebellious Members of the Long Parliament) the Kings Perſon, or any Commiſſionated by him, could be guilty of Treaſon againſt the Kings Authority, or againſt his two Houſes of Parliament, by purſuing of Rebels of what condition and quality ſoever to bring them to Juſtice according to the Laws of the Land.

LXII. That for the future, to avoid the great diſhonor of making Additional or Explanatory Acts of Parliament ſo frequently as hath of late been done, all or moſt Bills once read in either Houſe of Parliament may be (before it be paſſed) publiſht (as anciently amongſt the *Romans*) to the view of all Men that will come; to the end that any other Man (not only a Member of either Houſe) may within the ſpace of certain days freely propoſe in Writing his exceptions, additions, alterations or amendments.

LXIII. That

LXIII. That the Stile and wording of our Acts of Parliament may be corrected and reduced to ſuch as agrees with that of former times, and with the Tenor of the Writs whereby the Lords and Commons are ſummoned to Parliament, and particularly that it may no longer be uſed [Be it enacted by the Advice, but only by the Aſſent of the Commons] as was careſully obſerved in all former times, leſt our poſterity miſtaking may bring great miſchief on this Nation, as was done in the Reign of K. *Charles* the Firſt, by the uſurpation of the Commons in that very point, contrary to the Tenor of the Writ of Summons which ought to be their main Rule.

LXIV. That (as in the Reformed Churches beyond the Seas, and as in the Royal Chappel of the King of *England* (which ſhould be a pattern to all other *Engliſh* Churches) every *Sunday* morning early and other Feſtivals) there may be in all Pariſh Churches (but more eſpecially in *London*) Divine Service, and plain Sermons only for Servants, Apprentices, and the meaner ſort of people, who have moſt need of all to be inſtructed, and yet now for want of room or leave ſeldome come to Church at all, or to very little purpoſe, the Ordinary eleven of Clock Sermons being uſually made and intended for the beſt and moſt knowing Perſons of the Pariſh who have the leaſt need of inſtruction.

LXV. That as by the Conſtitutions called the Apoſtles Canons, *V.* 14. 17. not only *Friday* was weekly to be obſerved with Faſting, becauſe on that day our Saviour was murder'd, but alſo *Wedneſday*, becauſe on that day he was betrayed and ſold; ſo by an Act of Parliament, not only in the Moneth of *January* a day of Humiliation to be yearly obſerved for then murdring King *Charles* the Firſt at *London*, (as is already piouſly provided) but alſo another day

of Humiliation may be yearly obſerved in the Month wherein that beſt of Kings was betrayed and ſold at *Newcaſtle*.

LXVI. Whereas it hath been commonly averred that the Monarchy of *England* is ſo eaſie a Government, that no new Laws, or any new Taxes are put upon the Subject without their own conſent given by themſelves or their Deputies in Parliament, yet no Copy-holder or Leaſe-holder, although he holds a Thouſand pounds a year in Land or Houſes, is ſuffered to have any Vote in the Election of Knights of the Shire, when at the ſame time a poor inconſiderable Freeholder of 40 *s.* a year hath as good a Vote as any: for Regulation whereof there is by many thouſands juſtly claimed an Act of Parliament.

LXVII. The inequality of Land Taxes upon ſeveral Counties hatched and contrived with much partiality in the late times of Rebellion is ſo great, that to regulate the ſame would be a work well worthy of a ſpeedy Act of Parliament.

LXVIII. Whereas the Houſe of Commons conſiſts of above 500 perſons, and of them ſome Counties without any ſufficient ground or reaſon, ſend 7 or 8 times as many as divers other Counties that are as large or larger, it might be a work worthy of a Parliament to regulate the ſame, and alſo to regulate all Elections, and all Burroughs that ſend Burgeſſes to Parliament.

LXIX. For the encreaſe of the fore-mentioned publick Stock (if there ſhould be need) perhaps there is no way ſo reaſonable as by a Lottery throughout the whole Kingdom, for that would reach thoſe perſons who have money to ſpare and ſpend idly, yet cannot well be reached either by

300

by Land-tax, or Houſe tax, or Poll bill; ſuch as are al young men who have neither Houſe, nor Lands, nor Office nor Employment, and yet every day ſpend much money in Gaming, Drinking, *&c.*

LXX. If the Parliament ſhould ſtill think fit to lay a Land-tax, then whether will it not be very reaſonable, that alſo all Moneys ſhould pay as well as Land; for how unjuſt is it that he that hath 1000 *l.* a yeer in Land or Houſes, ſhould pay a great Summ of Money taxed upon his Land or Houſes, and he that hath 20000 *l.* in money, which at any time will purchaſe 1000 *l.* a year in Land ſhould pay not a penny. In *Holland* therefore every Monied man is taxed by ſome of his Neighbours according to what they judge him worth in Money or Goods, and if any Man think himſelf agrieved or taxed too high, he hath the liberty to ſwear himſelf not worth ſo much (which happens very rarely) and then he is taxed leſs.

LXXI. For the encreaſe of the fore-mentioned publick ſtock (if there ſhould yet be need) what tax could be more equal and univerſal than a ſmall tax upon Salt, or upon Candles, as is in divers foreign Countries.

LXXII. There is wanting a Law (wherein although not all *England* is concerned, yet a great part thereof is) that in the Capital City of *England*, not only all the Streets and Lanes ſhould be kept ſo clean, that all ſorts of perſons might walk as commodiouſly in *Winter* as in *Summer*, which is of late years brought to paſs in that great and populous City of *Paris* in *France*, but alſo (as is done in that City) all the *Winter* Nights, in the middle of all the Streets, there ſhould be hanged out ſo many Candles

or Lamps, as that all ſorts of perſons in this great Trading City might walk about their buſineſs as conveniently and ſafely by night as by day.

LXXIII. A Law for the better conveniency and benefit of Traders and Travellers, that at leaſt all Roads or High-ways leading from any parts of *England* to *London*, may be ſpeedily repaired, and made at leaſt 20 Foot wide, all great hollow Ways filled up, all very crooked Ways made ſtreight, all Bridges and Cauſeys repaired, at all croſs Roads Poſts to be ſet up with Inſcriptions and Hands pointing out the ſeveral places whereunto the ſeveral ways lead, as is done in ſome Countries for the uſe and benefit of all travelling ſtrangers.

LXXIV. Amongſt other wants in *England*, this is by knowing Men eſteemed none of the leaſt, and may juſtly deſerve to be propoſed to the conſideration of the true Sons of the Church now Sitting in this Parliament, *viz.* That whereas very many Pariſh Churches ſince the beginning of the late horrid Rebellion have been ſuffered to run to decay, and ſome of them now almoſt falling down, and that the Diſſenters from the Church of *England* by Law eſtabliſhed, though rich and numerous, do generally refuſe to contribute proportionably towards the timely Reparation of the ſaid Churches whereunto by no Statute Law they can be compelled; therefore that a ſhort Bill may be brought in to conſtrain all Pariſhioners to pay ratably towards the Reparation of their Pariſh Churches reſpectively without any delay.

Now in caſe any of theſe fore-recited Propoſals ſhall be judged beneficial for this Kingdom (as many of them are by experience found to be in other Chriſtian well-

go-

301

governed Countries) what a ſhame would it be, if amongſt 600 perſons (for of ſo many or more conſiſt the two Honourable Houſes of Parliament) there ſhould not be found a tenth part to be ſo good Patriots, and of ſuch publick Spirits, as to preſer each one but one Bill, for the drawing up whereof, and removing Objections, and further information in any particular, &c. the Propoſer himſelf humbly offers to contribute his utmoſt ſervice, and to be ready whenſoever he ſhall be called by any Committee appointed to debate or conſider any of the ſaid Propoſals.

POSTSCRIPT.

AMongſt all theſe forementioned Wants of *England*, amongſt the many Grievances of this Nation, there ſeems to be none greater than the want of a Regiſter, whereby to prevent Frauds, Forgeries, Cheats and Perjuries in Purchaſes and Mortgages; ſuch a Regiſter as hath for a long time been practiſed with much benefit, and admirable ſucceſs in all our Neighbour-Nations; ſuch a Regiſter as hath been generally deſired by the moſt wiſe and moſt honeſt men of *England*, but ſeems to be reſerved for the Honor and Glory of our preſent Dread Sovereigns King *William* and Queen *Mary*, to whom it is moſt humbly propoſed, That for the infinite good and benefit of all Their loving Subjects, and of all Strangers fled hither for Protection, Their Majeſties would graciouſly be pleaſed to appoint a Select Committee of Lords Spiritual and Temporal, of ſome of the Learned Judges

Judges, and of ſome Members of the Houſe of Commons, to receive ſuch Propoſals as ſhall be offered touching the ſpeedy erecting of a Regiſter; after mature deliberation to draw up a Bill, to be read in both Houſes of Parliament. Such a Bill as would ſecure all Purchaſes from Dormant Intails, from all Premortgages, from private Truſts and Aſſignments, from forged Deeds, Pocket Securities, long Leaſes, and a multitude of other Frauds and Incumbrances which the Wit and Knowledge of the moſt Learned in the Law can never be able to diſcover. Such a Bill as would prevent thoſe common and vile practices which fill our Courts with many long, chargeable, and infamous Suits.

Such a Regiſter would encourage Foreigners to bring over vaſt Summs of Money, would raiſe Lands as in *Holland* to thirty years purchaſe, and lower Intereſt Moneys to three *per cent.* whereby Trade and Commerce would infinitely encreaſe. Briefly, the Benefits and Advantages thereof are more and greater than any *Engliſh* Man can eaſily expreſs or conceive.

Laſtly, An Act of Parliament for a Solemn Anniverſary day of Thankſgiving during the Reign of our Soveraign Lord the King now Reigning, not only for the Preſervation of his Royal Perſon, both by Sea and Land, but for being the great Inſtrument of delivering this Nation from Popery, Arbitrary Power, and Slavery.

FINIS.